



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App No. : 10/650,096
Confirmation No. : 5895
Applicant : Douglas R. Dean, et al.

Filed : August 26, 2003
Title : POLE CONNECTOR
ASSEMBLY AND METHOD
FOR RACKS AND SHELVING

I, Elizabeth Eiche, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Elizabeth Eiche
Signature
5-9-2006
Date of Signature

TC/A.U. : 3632
Examiner : Amy Jo Sterling

Docket No. : 205332-9014

Customer No. 1131

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMMENTS REGARDING REASONS FOR ALLOWANCE AND
EXAMINER'S INTERVIEW SUMMARY**

This communication regards the February 3, 2006 Examiner's Interview with the undersigned Applicant's Representative, and is in reply to the Examiner's February 6, 2006 Reasons for Allowance issued in the above-referenced patent application. No extension of time petition or fee is required to accompany this communication.

On February 3, 2006, the Examiner contacted the undersigned Applicant's Representative to discuss amendments the Examiner recommended to claims 1, 12, and 24. In particular, the Examiner recommended insertion of the word "insertable" immediately after the term "second end" on line 9 of claim 1 and on line 12 of claim 12 in order to clarify the subject matter claimed in claims 1 and 12. Also, the Examiner recommended insertion of the phrase "having a deflectable portion, the insert being" immediately after "an insert" on line 3 of claim 24. In order to expedite allowance of the present application, the Applicant agreed to the proposed changes without prejudice to claims 1, 12, and 24 in the form filed in the Amendment dated December 23, 2005.

In the Examiner's Reasons for Allowance, the Examiner states that the allowance of the claims in the present application is based upon a number of recited elements and features of claims 1, 2, 4-18, and 20-35, and a number of steps of claims 36 and 38-42. However, the Applicant respectfully submits that the Reasons for Allowance set forth only some of the elements, features, and steps of claims 1, 2, 4-18, 20-36, and 38-42, and only represent some of the reasons why claims 1, 2, 4-18, 20-36, and 38-42 are allowable. The Applicant respectfully submits that a number of other features, elements, functional relationships and steps claimed in claims 1, 2, 4-18, 20-36, and 38-42 provide additional and different bases for allowance of the claims.

Also, the Applicant respectfully submits that the Reasons for Allowance improperly paraphrase a number of the claims by employing terminology and by referencing elements and features not found in all claims referred to. By way of example only, the term "deformable fastener" is not found in any of claims 12-18, 20-23, 30-38, 41, and 42. As another example, the function of "limit[ing] deflection of [a] deflectable portion of the insert" is not found in claims 24-29. As yet another example, claims 1, 2, 4-11, 12-18, 20-36, and 38-42 do not call for insertion of a second end of a fastener into a second pole section. Other examples exist, but are not discussed herein.

The Applicant respectfully submits that each of claims 1, 2, 4-18, 20-36, and 38-42 is separately patentable based upon the combinations of features, elements, relationships thereof, and steps claimed in claims 1, 2, 4-18, 20-36, and 38-42, rather than upon any one feature, element, step, or sub-combination of features, elements, and/or steps as indicated in the Reasons for Allowance.

Respectfully submitted,



Christopher B. Austin
Reg. No. 41,592

Docket No.: 205332-9014

Michael Best & Friedrich LLP
401 North Michigan Avenue
Suite 1900
Chicago, Illinois 60611
(312) 222-0800
S:\client\205332\9014\A\1519778.1